



ELECTRIC • GAS • WATER • STEAM
(202) 872-0030
FAX (202) 872-1331
Direct Dial (202) 872-1289

April 2, 1993

Ms. Donna R. Searcy, Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

RECEIVED
APR - 2 1993
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: ET Docket No. 92-9

Dear Ms. Searcy:

The Utilities Telecommunications Council (UTC) hereby submits the following erratum to its Comments filed on March 30, 1993, on the Petitions for Clarification and/or Reconsideration of the First Report and Order adopted in the above captioned matter. The erratum corrects an inadvertent omission on page 10 of the Comments. Please replace page 10 of UTC's Comments with the attached corrected page.

Should any questions arise concerning this notification, please communicate with the undersigned.

Cordially yours,


Sean A. Stokes
Staff Attorney

Enclosure

No. of Copies rec'd
List A B C D E

0+4

utility service provider^{14/}. As UTC noted in its petition, it is often the utility department of a municipality that operates the municipality's telecommunications system, and therefore it is not uncommon for a municipality to license its microwave system on the basis of its eligibility under the Power Radio Service. Thus, while incumbent state and local government utilities operating in the 2 GHz band could arguably qualify for the Commission's exemption by amending their station licenses to change the basis of their private microwave radio eligibility from Power Radio to Local Government, this would appear to impose an inefficient and unnecessary burden on licensees and the Commission's licensing staff. Instead, the FCC should amend its transition Rules to explicitly state that it is exempting from any mandatory relocation all incumbent licensees eligible to be licensed in any of the Public Safety Radio Services.^{15/}

**C. If Restriction Is Intentional It Is Arbitrary,
Unwarranted And Unworkable**

UTC agrees with APPA's assessment that if the FCC has intentionally limited the exemption to "public safety," the Commission's decision is arbitrary, unwarranted and unworkable. As APPA notes a decision to exempt "public safety," as opposed to all other state and local government agencies, cannot be

^{14/} 47 C.F.R. § 90.63

^{15/}

CERTIFICATE OF SERVICE

I, Kim Winborne, a secretary with the Utilities

Mr. Ted Coombes
American Public Power Association
2301 M Street, N.W.
Suite 300
Washington, D.C. 20037

Margaret deB. Brown, Esq.
James L. Wurtz, Esq.
1275 Pennsylvania Avenue, N.W.
4th Floor
Washington, D.C. 20004
Counsel for Pacific Telesis Group

Henry Goldberg, Esq.
Joseph A. Godles, Esq.
Goldberg, Godles, Wiener & Wright
1229 Nineteenth Street, N.W.
Washington, D.C. 20036
Counsel for Apple Computer


Kim Winborne